

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. MJ16-319

10 Plaintiff,

11 v.

DETENTION ORDER

12 HENRY FREDRICK BROWN,

13 Defendant.

14 Offenses charged:

15 Count 1: Possession of Methamphetamine With Intent to Distribute

16 Count 2: Possession of an Unregistered Destructive Device

17 Count 3: Felon in Possession of Explosives

18 Count 4: Felon in Possession of a Firearm

19 Date of Detention Hearing: September 21, 2016

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
21 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 23 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
24 defendant is a flight risk and a danger to the community based on the nature of
25 the pending charges. Application of the presumption is appropriate in this case,
26

1 as it relates to the danger to the community prong.

- 2 2. The evidence against the defendant, although the least significant factor, is very
3 strong. Here, defendant had in his possession multiple firearm offenses and
4 more than two pounds of methamphetamine.
- 5 3. If convicted, this would be defendant's third firearm offense, having been
6 previously convicted of assault with a handgun, unlawful possession of a
7 handgun and drug offenses.
- 8 4. Defendant has on-going substance abuse issues.
- 9 5. There are no conditions or combination of conditions other than detention that
10 will reasonably assure the appearance of defendant as required or ensure the
11 safety of the community.

12 IT IS THEREFORE ORDERED:

- 13 (1) Defendant shall be detained and shall be committed to the custody of the
14 Attorney General for confinement in a correction facility separate, to the extent
15 practicable, from persons awaiting or serving sentences or being held in custody
16 pending appeal;
- 17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;
- 19 (3) On order of a court of the United States or on request of an attorney for the
20 government, the person in charge of the corrections facility in which defendant
21 is confined shall deliver the defendant to a United States Marshal for the
22 purpose of an appearance in connection with a court proceeding; and

23 //

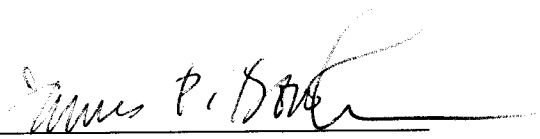
24 //

25 //

26 //

1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 21st day of September, 2016.

5
6 
7 JAMES P. DONOHUE
8 Chief United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26